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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,763	12/06/2001	Jeffrey S. Larson	WAVE1100-1	2045
<div>7590 03/17/2008</div> <div>Robert C. Kowert Meyertons, Hood, Kivlin, Kowert &amp; Goetzel, P.C. P.O. Box 398 Austin, TX 78767-0398</div>				
EXAMINER				
TRAN, MAI T				
ART UNIT		PAPER NUMBER		
2129				
MAIL DATE		DELIVERY MODE		
03/17/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/006,763

**Applicant(s)**

LARSON ET AL.

**Examiner**

Mai T. Tran

**Art Unit**

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### **REMARKS**

Applicants' amendment dated July 23, 2007 responding to the February 21, 2007 Office Action provided in the rejection of claims 1-59, wherein claims 1, 11-12, 21, 27, 33, 36, 41, 48, and 52 have been amended and no new claims have been added. Claims 1-59 remain pending in the application and which have been fully considered by the examiner.

The Examiner withdraws the finality of last Office Action.

### **SPECIFICATION**

The disclosure is objected to because of the following informalities:

1. Page 2, paragraph [0003], line 7: "may a use an email account". It is not grammatically correct.
2. Page 15, paragraph [0045], line 3: "As such, fore example". Spelling is incorrect.

Appropriate correction is required.

### **CLAIM OBJECTIONS**

Claims **2, 32, and 38** are objected to because of the following informalities:

1. Claim 2 on page 3 line 3 recites the following limitation: "with the corresponding user *form* said set of users". It should be "from" said set of users.

2. Claim 32 on page 10 line 7 recites the following limitation: “includes *an* resource account list”. It should be “a resource account list”.
3. Claim 38 on page 12 line 10 recites the following limitation: “information object corresponding to said user; and”. The status identifier of this claim indicates “original.” However, applicants remove one of the limitations that were presented originally. Applicants need to change the status identifier of this claim accordingly, also remove the word “;and” and add a period at the end of the claim.

Appropriate correction is required.

#### **CLAIM REJECTIONS - 35 USC § 112**

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 1, 12, 33, 36, 41, 48, and 52** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The preamble of these claims 1, 12, 33, 36, 41, 48, and 52 indicates they are “method claim.” However, the body of these claims recites the limitation: “a computer program process.” Examiner interprets a computer program process to be just computer instructions i.e. software

per se. Therefore, the claimed language creates the indefiniteness since these claims have a deficiency in them due to not particularly pointing out the claimed subject matter.

2. **Claims 21 and 27** recite the limitation “*said computer readable memory*” in line 4. There is insufficient antecedent basis for this limitation in the claim.
3. **Claims 1-10 and 48-50, claims 12-20 and 41-47** are rejected under 35 U.S.C. 112, second paragraph, as being unduly multiplied. Applicants present an unreasonable number of claims which are repetitious and multiplied, the net result of which is to confuse rather than to clarify (See 35 C.F.R. 1.75 (b) and MPEP 2173.05(n)). Applicants’ reply **must include a selection** of claims for purpose of examination. A selection needs to be made between 2 sets: claims 1-10 and claims 48-50. Also, a selection needs to be made between 2 sets: claims 12-20 and claims 41-47.

#### **CORRESPONDENCE INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai T. Tran whose telephone number is (571)272-4238. The examiner can normally be reached on 10:00 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, David R. Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2129

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/mtt/

Examiner, Art Unit 2129

/David R Vincent/

Supervisory Patent Examiner, Art Unit 2129